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March 19, 2018

**VIA EMAIL**

The Hon. Judge Cathy Seibel  
300 Quarropas St., Courtroom 621  
White Plains, NY 10601-4150

**EMERGENCY REQUEST FOR MODIFICATION OF TRO**

Dear Hon. Judge Seibel:

I am the Intervenor in this matter. For the reasons set forth herein, I hereby request that the Court immediately modify the Temporary Restraining Order ("TRO") issued on March 16, 2018 and in the alternative to reflect that the Sixuvus has shown contempt for the court's order.

**BACKGROUND**

On March 16, 2018, the Court granted Intervenor's motion for a TRO ordering that including but not limited to the Sixuvus must, no later than March 18, 2018: "[G]enerate a prominent banner at the top of" [the subject social media pages] which states "the page is not the page for Village People." "If the viewer is looking for Village People, the viewer should go to" for example, Facebook.com/RealVillagePeople.

The Sixuvus is mocking the court's order by adding the following facetious statement attached to the notice as follows: "They can claim the name but NOT our FAME." See Ex. 1.

On March 16, 2018, the Court also ordered that the Sixuvus "generate below the banner described above... wording that conveys the following... the account is being shut down soon..." The Sixuvus has defied the court's order by attaching "Thanks for all your support." Moreover, the Sixuvus has added to the notice, the facetious hash tag: **#YoucanclaimthenamebutNOTtheFAME** See Ex. 2.

What is more, the Sixuvus continue to post messages as the official Village People with numerous visitors in response to the court ordered notice with blatant attacks on Victor Willis and Village People including engaging one visitor named Fabio Landau with the following disparaging dialog about Victor Willis in connection with the court ordered statement: "this is not about money at all, this is solely about the name and VW wanting to take back what he feels he lost even though he was fired by Can't Stop Productions. We have kept VP alive all these years. Don't know what you mean by former friends. We have not been in touch since 1979. Colleagues, not friends." See Ex. 2, p.2.

This is just the tip of the iceberg of the back and forth comments with visitors in response to the court ordered notices. These are the very types of communications and disparaging comments lead by the Sixuvus at official Village People social media that I sought to restrain in the TRO as confusing and harmful. The Sixuvus is obviously still not taking the court's order seriously.

In addition, I've uncovered more disturbing behavior by the Sixuvus and their counsel with evidence suggesting that the Sixuvus had already created a new Facebook page for the Kings of Disco at the time of the TRO hearing contrary to what was

represented to the court. In contravention to what the Sixuvus counsel represented during the March 16, 2018 TRO hearing, it seems the Sixuvus counsel knew the Sixuvus had already created new Kings of Disco social media sites, but failed to inform the court. The fact that the Sixuvus was communicating with visitors at **Facebook.com/KingsofDisco1** as early as March 13, 2018, suggests that the page was created at least as early as that date. See Ex. 3.

I'm troubled by these findings which suggest the Sixuvus counsel may be complicit in the Sixuvus's defiance, consistent withholding of evidence, and outright lack of candor with the court. Did the Sixuvus withhold the fact that they had already created a new Facebook page for the Kings of Disco and other social media sites from their counsel at the time of the TRO hearing? Or did the Sixuvus counsel know all along that the Sixuvus had created new social media for the Kings of Disco as they feigned ignorance of the technical aspects of setting up new social media to copy and paste things from official Village People social media?

In any event, as evidenced in exhibits 1-3, the Sixuvus has (1) continued their use of official Village People social media; (2) they have continued their infringing and public confusion behavior at their newly created Kings of Disco social media; and (3) they continue to communicate with Village People fans at official Village People social media sites as if they have a right to do so.

Moreover, Exhibit 3 clearly show that despite the court's order, the Sixuvus continue to confuse the public by suggesting at social media that The Kings of Disco is Village People, "only the name has changed." See Ex. 3.

Indeed, as of today (March 19) the post: "only the name has changed," is still displayed at The Kings of Disco new Facebook page. The Sixuvus knew this confusing post was being displayed prior to the TRO, and they are very aware that they've done nothing to delete the confusing and infringing post in order to comply with the order. This completely defies the court, and the Sixuvus must be held to account for their defiance.

As such, I am requesting that the Court sanction the Sixuvus defendants, and each of them, including modifying the Order dated March 16, 2018. Indeed the court is justified to modify the order in efforts to afford further emergency relief from the Sixuvus continued unbridled acts which is causing irreparable harm to Village People in the market place.

Accordingly, modification of the TRO is proposed as follows:

**ORDERED** that no further posts are made at any of the official Village People social media accounts by the Sixuvus defendants, or anyone acting on behalf or in furtherance of the the Sixuvus defendants, other than as ordered on March 16, 2018;

**ORDERED** that the mark, Kings of Disco, is immediately deleted from the URL of Facebook.com/OfficalVillagePeople, and all other official Village People social media accounts, therein returning the URLs back to their original URL state prior to the Sixuvus attaching the Kings of Disco after February 14, 2018;

**ORDERED** that on or before March 20, 2018, the Sixuvus defendants turnover or surrender use of all official Village People social media accounts to Can't Stop Productions and/or Harlem West Entertainment, because the Sixuvus social media use

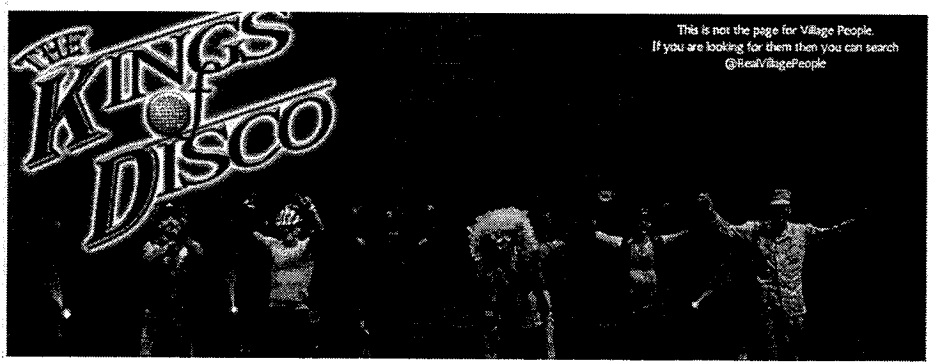
in conjunction with the Village People mark has been terminated by Can't Stop; and because the Sixuvus has already created new Kings of Disco social media sites as evidence in Exhibit 3; and there is no valid legal reason for the Sixuvus to continue to possessing and using official Village People social media sites other than to cause public confusion and otherwise to harm the exclusive licensee.

Respectfully submitted,


A handwritten signature in black ink, appearing to be 'Karen L. Willis', written in a cursive style.

Karen L. Willis, J.D.

EX 1



↓

**Official Village People**  
Like This Page · 5 hrs · Edited

They can claim the Name, but NOT our FAME.

WE LOVE OUR FANS!!!!!!!!!!!! All photos on this page are historic

Like


Comment


Share


32

Chronological

View 5 more comments

 **Andreas Sundvor Johannessen** Official village people what Page is that? Twitter or Instagram?  
Like · Reply · 53m

 **Official Village People** Please follow us on our new FB page

 Write a comment...

Official Village People

Karen Home Find Friends

1



Like Following Share

Official Village People  
@OfficialKingsOfDisco

- Home
- About
- Photos
- Events
- Videos
- Posts
- Community

**Official Village People**  
5 mins ·

This page is being shut down shortly. Fans can follow The Kings Of Disco. Thanks again for all your Love and Support.  
#YoucanclaimthenamebutNOTtheFAME

Like Comment Share

6 Chronological

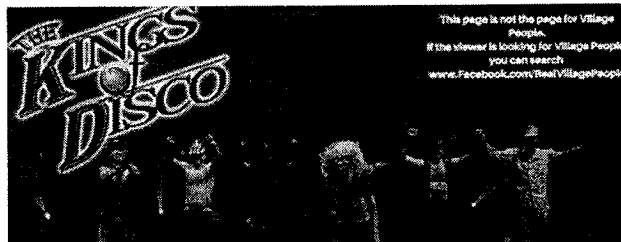
**Darrin Hauxwell** Keep it open, just change the page name.  
Like · Reply · 1m

Write a comment...

Status Photo/Video

Write something on this Page...

**Official Village People** updated their cover photo.  
1 hr ·



Like Comment Share

26 Chronological

**Teresa Crain** Love you guys always. But reading the 'disclaimer' in the upper right corner of the photo made me really sad. As I've said before, to me you ARE the real Village People. But it is what it is - I know. Nevertheless, much love to you. ❤️❤️❤️❤️❤️

Like · Reply · 41m

**Official Village People** Teresa Crain it's ok - just follow us and we WILL continue to perform. We just need your support so please follow us on The Kings Of Disco - that's what Rolling Stones Magazine referred to us as and WE ARE!!!!

Musician

Community

See All

Invite your friends to like this Page

41,233 people like this

39,814 people follow this

Gloria Caldwell-Ott and 2 other friends like this

About

See All

212-904-1626

Musician · Musician/Band

Suggest Edits

Pages liked by this Page

**America's Best Racing** Like

**Santa Anita Park** Like

**We've Only Just Begu...** Like

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Chat (5)

*Page 2*

Official Village People  
Like This Page · 1 hr ·

3131

**Comments**



Teresa Crain Love you guys always. But reading the 'disclaimer' in the upper right corner of the photo made me really sad. As I've said before, to me you ARE the real Village People. But it is what it is - I know. Nevertheless, much love to you. ♥♥♥♥♥

4

Manage

Like

· Reply · 57m



Official Village People Teresa Crain it's ok - just follow us and we WILL continue to perform. We just need your support so please follow us on The Kings Of Disco - that's what Rolling Stones Magazine referred to us as and WE ARE!!!!

1

Manage

Like

· Reply · 18m



Fabio Landau Sad to see former friends fighting in court for money...

Manage

Like

· Reply · 52m

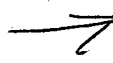


Official Village People Fabio Landau - this is not about money at all, this is solely about the name and VW wanting to take back what he feels he lost even though he was fired by Can't Stop Productions. We have kept VP alive all these years. Not sure what you mean by former friends. We have not been in touch since 1979. Colleagues, not friends.

Manage

Like

· Reply · 16m





The Kings Of Disco

Karen Home Find Friends 1



The Kings Of Disco  
@KingsOfDisco1

Home  
Posts  
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About  
Community

Like Follow Share



The Kings Of Disco

March 13 at 9:03pm ·

Only the name has changed. Same faces of the last 3 decades -- Felipe, Ray, Alex, Eric, Jim and Bill who have been touring all over the world performing for you!! The Name doesn't take away the Fame!!!

Like

Comment

Share

6

Chronological

2 Shares

2 Comments



David Hodo Same faces for the last five years. 1

Like · Reply · 4d · Edited



Sarah Weers Thanks again for the link to find your page! 1

Like · Reply · 39m



Write a comment...

Status Photo/Video



Write something on this Page...



The Kings Of Disco updated their cover photo.

57 mins ·



Like

Comment

Share



The Kings Of Disco updated their profile picture.

March 13 at 7:45pm ·

Musician/Band

5.0

What's New

Email is now sixuvusitd@aol.com.

Community

See All

Invite your friends to like this Page

21 people like this

21 people follow this

About

See All

Typically replies within a few hours  
Send Message

Musician/Band

Suggest Edits

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Chat (1)